

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S-Revenue Department-Departmental Proceedings initiated against Sri G.J.V. Prabhakara Rao, formerly M.R.O - Action finalized - Imposition of penalty of 15% (Fifteen percent) cut in pension for a period of two years under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Orders - Issued.

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REVENUE (VIGILANCE-III) DEPARTMENT

G.O.RT.No. 1158

Dated. 30.12.2014

Read the following:-

1. G.A (V & E) Dept Vigilance Report NO. 172 (C.No.705/V&E/ D3/ 06) Dt.31.12.2008
2. Govt. Memo.No.3255/Vig.II(1)/2009, Dt:3.2.2009
3. From the CCLA's Lr.No.VS-I (3)/245/2009, dt.22.12.2009
4. G.O.Ms.No.149,Rev(Vig.II) Dept., dt.20.02.2010
5. Govt.Memo.No.3255/Vig.II(1)/2007 dt.19.02.2010
6. From the CCLA's Progs.No.VSI (3)/245/2009 dt.1.7.2010
7. J.C & I.A.,Prakasam Rc.A1/240/2009 dt.01.10.2010
8. From the CCLA Lr.No.VSI(3)/245/2009 dt.25.11.2010
9. Govt. Memo.No.3255/Vig.II(1)/2009-1, dt.21.12.2010
10. From Sri G.J.V.Prabhakar Rao, M.R.O.(Retd) Rep dt.5.1.2011.
11. Govt. Memo no 3255/Vig.II.1/2009 dated 05.03.2011.
12. From Sri G.J.V.Prabhakar Rao, M.R.O.(Retd) Rep dt.10.5.2011.
13. From the Secretary APPSC Lr. No.1364/RT/2/2013 dated 22.07.2013

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ORDER:

In the reference 1st read above, the Director General, Vigilance and Enforcement, has reported that Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer, Sri A.Jitendra Babu, Mandal Revenue Inspector, Ardhavedu Mandal, Prakasam District has committed irregularity while working at Ardhavedu Mandal, Prakasam District and recommended for initiating disciplinary action. In the reference 2nd read above, Government have directed the Chief Commissioner of Land Administration to initiate disciplinary action against the accused officers.

2. In the reference 3rd read above, the Chief Commissioner of Land Administration has reported that Sri G.J.V. Prabhakar Rao, formerly Mandal Revenue officer had retired from service, and requested the Government to initiate disciplinary action against him and Sri Jitendra Kumar, formerly Mandal Revenue Inspector, Ardhavedu, presently Food Inspector, Giddaur. Accordingly, in the G.O 4th read above, Government have accorded permission to the Chief Commissioner of Land Administration, to initiate disciplinary proceedings against Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980. In the reference 5th read above, Government have requested the Chief Commissioner of Land Administration to initiate common departmental proceedings under rule 24 of Andhra Pradesh Civil Services (CCA) rules, 1991 read with rule 9(2) of Andhra Pradesh Revised Pension Rules, 1980 against both the Accused Officers and send the inquiry report to Government for taking necessary action on the report at Government level.

3. The Chief Commissioner of Land Administration, has initiated common departmental proceedings against both the accused under rule 20 r/w rule 24 of the Andhra Pradesh Civil Services (CCA) Rules, 1991 duly framing Article of charges against the Accused officers. Both the Accused Officers have submitted their explanations denying the charges. After examining their representation, the Chief Commissioner of Land Administration, Hyderabad has appointed the Joint Collector, Prakasam district as Inquiring Authority and District Revenue Officer, Prakasam as Presenting Officer vide reference 6th read above to conduct regular enquiry. The Inquiring Authority and Joint collector, after conducting enquiry, has furnished the enquiry report vide reference 7th read above concluding that all (3) charges framed against Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd) are held proved.

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4. In the reference 9th read above, while communicating the Enquiry Report, Sri G.J.V. Prabhakar Rao, formerly Tahsildar, Ardhavedu(now retired) was directed to submit his written statement of defence, if any on the findings of the Inquiry Authority. In the reference 10th read above, Sri G.J.V. Prabhakara Rao has submitted his representation stating that the incident occurred on 27.10.2005 and 28.10.2005 and the distribution of relief was made in the January, 2006. Therefore the four years limitation period stipulated as per the 9(2)(b)(ii) of Andhra Pradesh Revised Pension Rules, 1980 has lapsed by January, 2010 and therefore he has requested the Government to drop further action in the matter.

5. After examining the representation of Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd), Government have observed that sanction of departmental proceedings were issued on 20.02.2010 and the relief distribution was made on 10.03.2006. Hence the case is within the 4 years limitation as per rules. It is also observed that these irregularities were noticed during the verification with reference to acquaintances verified by the Vigilance officials and were furnished to the Accused Officer along with the Charge Memo. These were also not rebutted by the Accused officer during his examination by the Enquiry Officer.

6. Therefore, Government, after careful examination of the Enquiry Report and explanation of the individual, have provisionally decided to impose a punishment of 15% cut in pension for a period of (2) years on Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd) and issued Show cause notice vide reference 11th read above with a direction to submit his further explanation if any. The charged officer has submitted his explanation to the show cause notice vide reference 12th read above, and requested to the drop the charges framed against him. The Government have examined the same and found that he has not put forth any new grounds for consideration.

7. After careful examination of the matter, Government have decided to confirm the provisional decision i.e. to impose 15% cut in pension for a period of 2 years on Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd). Accordingly, Government hereby order to impose penalty of 15% cut in pension for a period of 2 years on Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd) under Rule 9 of Andhra Pradesh Revised pension Rules, 1980. The Andhra Pradesh Public Service Commission has also agreed the above punishment (Copy enclosed). However in another criminal case Government have imposed punishment of 100% cut in pension and Gratuity against Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd) vide G.O Ms No 1199 dated 30.07.2013. Hence the present punishment I may not be implementable at present.

8. The Chief Commissioner of Land Administration, AP, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.J.V. Prabhakar Rao, Mandal Revenue Officer (Retd)
through Chief Commissioner of Land Administration, AP, Hyderabad.
The Chief Commissioner of Land Administration, AP, Hyderabad
(with a request to serve on the Charged Officer and furnish
acknowledgement of the individual to the Government)

The District Collector, Ongole.

Copy to:

The D.G., V&E., Hyderabad

The Secretary to Vigilance Commissioner, A.P., Hyderabad

The Secretary to APPSC, Hyderabad.

SC/SF.

//FORWARDED:: BY ORDER//

SECTION OFFICER